

UNITED STATES DISTRICT COURT

for the
Western District of Washington

In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)
 The Person of Samuel Archie Matta and the
 Collection of Buccal Swab Samples of DNA

Case No. MJ23-009

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

The Person of Samuel Archie Matta

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

The Collection of Buccal Swab Samples of DNA

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

26 U.S.C. §§ 5861(d), 5845(a)(8)

Offense Description

Possession of Destructive Devices

The application is based on these facts:

- ☒ See Affidavit of Special Agent Abel J. Peterson, continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.

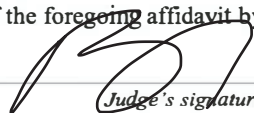


Applicant's signature

Abel J. Peterson, Special Agent (FBI)

Printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or
☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 01/10/2023City and state: Seattle, Washington


Judge's signature

Brian A. Tsuchida United States Magistrate Judge

Printed name and title

1 **AFFIDAVIT OF SPECIAL AGENT ABEL PETERSON**

2 STATE OF WASHINGTON)

3) ss

4 COUNTY OF KING)

5
6 I, Abel Peterson, a Special Agent with the Federal Bureau of Investigation
7 assigned to the Seattle, Washington, office having been duly sworn, state as follows:

8 **AFFIANT BACKGROUND**

9 1. I have been employed as a Special Agent of the Federal Bureau of
10 Investigation (FBI) since November 2014 and am currently assigned to the Seattle Field
11 Office. My primary duties as a Special Agent include investigations of major crimes
12 occurring in Indian Country, including, but not limited to, arson, assaults, crimes against
13 children, domestic violence, firearms, fraud, kidnappings, murders, narcotics, rapes, and
14 robberies. I am an investigative or law enforcement officer of the United States within
15 the meaning of Section 2510(7) of Title 18, United States Code, in that I am empowered
16 by law to conduct investigations and make arrests for federal felony offenses.

17 2. The facts in this affidavit come from my own personal knowledge and
18 observations; my training and experience; information obtained from other agents and
19 witnesses; review of documents and records related to this investigation; and
20 communications with others who have personal knowledge of the events and
21 circumstances described herein. This affidavit is intended to show merely that there is
22 sufficient probable cause for the requested warrant, and therefore does not set forth all of
23 my knowledge about this matter.

24 **PURPOSE OF AFFIDAVIT**

25 3. This affidavit is made in support of an Application for Search Warrant to
26 obtain buccal swabs for DNA analysis from the following person: SAMUEL ARCHIE
27 MATTA born in 1986. On September 29, 2022, the Grand Jury returned an Indictment

charging MATTA with one count of Possession of Destructive Devices in violation of Title 26, United States Code, Sections 5861(d) and 5845(a)(8). Trial is scheduled for March 27, 2023. MATTA is currently in custody at the Federal Detention Center and we are seeking to execute this warrant at the Federal Detention Center.

PROBABLE CAUSE

April 29, 2022 Assault Arrest

4. I have reviewed reports provided to me by the Tulalip Police Department. According to those reports, on April 29, 2022, Tulalip Police Department officers responded to an address on the Tulalip Reservation for a report of an assault with a weapon. Parties on scene reported that MATTA had physically assaulted them and fired a “BB” gun at them which struck at least one of the victims. A physical altercation ensued between the witness/victim and MATTA, resulting in each striking the other. Tulalip Police Department (TPD) placed MATTA under arrest for assault.

5. On May 4, 2022, pursuant to a tribal court order TPD personnel went to MATTA’s residence, which is located within the exterior boundaries of the Tulalip Indian Reservation, to secure any weapons.¹ TPD officers documented the uninhabitable condition of MATTA’s residence as well as items seized pursuant to a tribal court order. The residence was littered with debris, animal feces, and merchandise boxes. MATTA’s bedroom was particularly unfit for habitation with piles of used toilet and tissue paper waist high near a desktop computer. TPD officers collected multiple pellet and BB guns, knives, bows and arrows, rifle ammunition, throwing stars, num-chuks, several swords, many larger fixed blade knives, a cross bow, a spear, a scythe, and a long-handled Lucerne Hammer weapon.

¹ Matta shared the residence with his mother.

1 6. At the time TPD was at MATTA's home tasked with seizing weapons.
2 TPD observed a lot of large explosive style fireworks, some of which MATTA had
3 packed into backpacks with lighters and launch tubes ready for deployment.

4 **May 15, 2022, Discovery of Destructive Devices**

5 7. On May 15, 2022, TPD was called back to MATTA's residence concerning
6 a report of "suspicious circumstances." On arrival, TPD was met by MATTA's brother
7 (hereafter BROTHER), who reported having arrived at MATTA's residence to help clean
8 up as it was actually their mother's home. BROTHER reported only MATTA and their
9 mother reside in the home and that BROTHER is estranged from MATTA as of the past
10 several years.

11 8. While conducting clean up at the residence, BROTHER found suspicious
12 chemicals and "shrapnel bombs." BROTHER showed TPD officers several containers of
13 chemicals and photos BROTHER took of what appeared to be Improvised Explosive
14 Devices (IEDs). For safety reasons, TPD secured the residence and requested assistance
15 from the Washington State Patrol Bomb Squad. FBI Special Agent Bomb Technicians
16 and a Snohomish County Sheriff's Office deputy also responded.

17 9. TPD obtained and executed a tribal search warrant for the residence with
18 the assistance of Washington State Patrol, ATF, and FBI personnel. Additionally,
19 MATTA's mother had also provided verbal consent to enter the residence. Bomb
20 technicians rendered safe the "shrapnel bombs," (Devices), reported by BROTHER and
21 prepared them for collection as evidence by TPD personnel. The Devices appeared to be
22 a type of plastic bottle filled with an explosive powder and wrapped with metal nuts,
23 bolts, washers, and screws as depicted in Figure 1 below.

24 //

25 //



Figure 1

10. During the search, law enforcement located multiple containers of chemicals (suspected precursor chemicals for the making of explosive devices) and a large quantity of consumer fireworks, which nearly filled the back of a pick-up truck used by TPD. A black bag located in MATTA's bedroom was found to contain several consumer fireworks that had been altered by attaching metal spikes around the exterior of the firework body as depicted below in Figures 2 and 3. A consumer firework that had been altered by attaching silver metal spikes around the exterior of the firework body was also recovered and is depicted below in Figure 4. Bomb technicians rendered the devices safe for travel and storage.

//

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Figure 2



Figure 3



Figure 4

Interview of Samuel Matta

11. On May 15, 2022, I, along with TPD and ATF personnel, interviewed MATTA at the Snohomish County Jail where he was being held on assault charges. MATTA was provided with his Miranda warnings and constitutional rights and, upon acknowledgment of those warnings and rights, agreed to speak with investigators. MATTA reported that he had been a science major in college and liked to try to build “things” at home. MATTA reported having ordered a do-it-yourself electronics kit for that purpose. Approximately five years earlier, MATTA reported having made some crude devices by dumping fireworks into a bottle. MATTA explained that he had done a good job making these devices, but that he did not want the devices any longer and had put them away for safe keeping. MATTA claimed these devices were the only things “like that” that he had made.

12. MATTA described the device(s) that he had built as a “crude bomb.” MATTA was not sure if the devices would actually work well, and explained that at times these devices did not really do much and would just make a bunch of “color.” MATTA admitted conducting experiments around the house and reported he could

1 probably do better if he wanted to. MATTA stated that it was pretty scary how easy it
2 was to make an explosion, but that he is currently not making any bombs.

3 13. MATTA described storing the larger devices that he had built in a “Native
4 American” style suitcase. MATTA reported placing screws and “stuff” inside the bottle
5 to help him survive a “group” attack, which he described as really a last resort “type of
6 thing.” MATTA explained that on occasions he wrapped the devices in cardboard to
7 increase the pressure and that he attached “nuts” with tape.

8 14. MATTA was shown a picture of one of the devices recovered from his
9 residence as depicted in Figure 5 below. MATTA remembered the device in the picture
10 and stated that he had built that device and that it was one of the devices he had wrapped
11 in cardboard. MATTA explained having poured fireworks into the bottle, wrapped it in
12 cardboard, threw in screws, and taped it up. MATTA stated that he had learned the
13 cardboard trick from “Boom City.” It made the fireworks more powerful and gave them
14 more “boom.” MATTA said he put it away and hoped he would never have to use it.
15 MATTA admitted that he had not registered any of his devices with the government.
16 MATTA further stated that he did not know that that could be done.

17 //

18 //



Figure 5

15. MATTA described having made fuses in the past and explained his fuses were often better than some that come with fireworks when purchased. MATTA reported that he often used yarn or paper to make fuses because natural fibers were best because plastic would often melt.

16. When asked about the black bag that contained fireworks with metal spikes attached to them as depicted in Figures 2 and 3, MATTA recalled the devices and reported they had a pretty good “kick” to them. MATTA explained he made those devices specifically for when the “riots” were happening and added that he was afraid that the riots may make it up his street and had made those devices in order to be prepared. MATTA explained that the devices were dangerous and that he had planned to take them apart. MATTA claimed those devices had really just been for emergency purposes.

17. MATTA described that he had attached the metal spikes with hot glue and had come up with the idea on his own. MATTA ordered the spikes on Amazon and initially planned to attach them to clothing to look “cool,” but when the riots happened MATTA decided he needed a way to defend himself and therefore had built the devices

1 depicted in Figures 2 and 3. MATTA reported being sure that his devices could cause a
2 lot of damage and disperse a crowd and apologized for the devices being at his house.

3 **Destructive Devices**

4 18. On May 24, 2022, ATF Special Agent Greg Heller confirmed that MATTA
5 had not registered any destructive devices as required under the National Firearms Act.

6 19. The above-described devices were transferred to FBI custody and
7 subsequently shipped to the FBI Laboratory for further analysis and testing. A FBI
8 Explosives Examiner was provided with information, descriptions, and photos of the
9 devices described in Count 1. Upon review of that information, the Explosives Examiner
10 provided a preliminary opinion, that, present were the disassembled remains of nine (9)
11 improvised explosive devices (IED), also commonly known as homemade bombs. The
12 general components of an IED are an explosive main charge, a fusing system, and
13 sometimes a main charge container and/or concealment container. Present amongst each
14 of the devices described in Count 1 are a potentially energetic material, a main charge
15 container, and a non-electric fusing system.

16 20. The FBI Explosives Examiner stated that two elements that must be met to
17 make an affirmative destructive device determination are that the device or device
18 components constitute an explosive device or incendiary device and that the devices or
19 device components possess the functional characteristics and/or design elements of a
20 weapon. The Explosives Examiner offered the opinion that, based on the preliminary
21 review of the above described information, the devices described in Count 1 would be
22 considered destructive devices. The use of energetic materials, a main charge container,
23 and the addition of metal fragmentation show weapon characteristics in the design of the
24 devices.

25 **FBI LABORATORY ANALYSIS OF EVIDENCE FOR DNA**

26 21. A FBI Laboratory Report dated December 7, 2022, documented that
27 suitable DNA was recovered from evidentiary items to which a DNA sample from

1 MATTA can be compared. Specifically, evidence seized during the residential search
2 warrant was submitted to the FBI Laboratory where they were selectively subjected to
3 nuclear deoxyribonucleic acid (DNA) analysis. The following evidentiary items contain
4 DNA samples suitable for comparison:

- 5 • 13(1) Swabbing of Fuse (IED #4) (1B41);
- 6 • 14(1) Swabbing of Fuse (IED #5) (1B45);
- 7 • 16(1) Swabbing of Fuse (IED #7) (1B53); and
- 8 • 17(1) Swabbing of Fuse (IED #8) (1B63).

9 22. Male DNA was obtained from items 13(1), 14(1), and 16(1) (swabbings of
10 fuses from IEDs #4, #5, and #7). Items 13(1), 14(1), and 16(1) were each interpreted as
11 originating from one individual and are suitable for comparison purposes.

12 23. Item 17(1), a swabbing of fuse from IED #8, had male DNA as well. Item
13 17(1) was interpreted as originating from two individuals and is suitable for comparison
14 purposes.

15 **BACKGROUND ON DNA TESTING**

16 24. Based on my training and experience, I know that each human has his or
17 her own Deoxyribose Nucleic Acid (DNA) markers, and that, since the inception of the
18 use of DNA in forensic science, DNA analysis has been widely used. Humans may leave
19 traces of their DNA in various forms, including, but not limited to: semen, sweat, and
20 blood. In addition, based on my training and experience, I know that crime laboratories
21 can identify the source of DNA obtained from a crime scene by the comparison of that
22 DNA to the DNA of persons from whom it may have originated.

23 25. In this case, it will be useful to compare the DNA of MATTA with any
24 DNA retrieved and preserved from the following items: item 13(1) Swabbing of Fuse
25 (IED #4) (1B41), item 14(1) Swabbing of Fuse (IED #5) (1B45), item 16(1) Swabbing of
26 Fuse (IED #7) (1B53), and item 17(1) Swabbing of Fuse (IED #8) (1B63).

26. Based on my training and experience, I know that DNA is typically collected from a person by rubbing one or more long cotton swabs against the inner cheek of the mouth. The swabs are then preserved by being placed in a sterile container and sealed. If this search warrant application is approved, I will follow these protocols by swabbing the inner cheek of MATTA with one or more long cotton swabs, provided to me in sterile form. I will then place the cotton swabs in a sterile container and seal the container. I will then place the sterile container containing the swabs into another container that will be sealed and sent to a laboratory for analysis and comparison to the DNA obtained from the evidentiary items described above.

CONCLUSION

27. Based on the above facts, I believe there is probable cause for the issuance of a search warrant for the buccal swabs of the person of SAMUEL ARCHIE MATTA. If this search warrant is signed, the seizure of MATTA pursuant to this search warrant will be limited to the swabbing of his inner cheek. I believe that the DNA analysis will provide evidence that is material to this investigation into MATTA's violations of Title 26, United States Code, Sections 5861(d) and 5845(a)(8). I therefore petition the Court for the issuance of a search warrant authorizing the buccal swabs of MATTA, for DNA evidence as described above.


 ABEL PETERSON
 Special Agent
 Federal Bureau of Investigation

SUBSCRIBED AND SWORN before me this 10th day of January, 2023


 BRIAN A. TSUCHIDA
 United States Magistrate Judge